

# Exhibit B

**From:** [BeattyWalters Tina](#)  
**To:** [Schwei, Daniel S. \(CIV\)](#); [Sirkovich, Eitan R \(CIV\)](#); [Freidah, Andrew F. \(CIV\)](#)  
**Cc:** [Buehler Dustin](#)  
**Subject:** RE: Oregon's conferral re TRO in New York v. Trump (DRI: 1:25-cv-00039)

Thank you, Daniel. The attorneys for the lead states that your team has otherwise communicated with will be the attorneys going forward you should communicate with about this case, for all the states including Oregon. Thanks!

Tina

Christina Beatty-Walters (she, her)  
Assistant Attorney in Charge  
Special Litigation Unit  
Oregon Department of Justice  
[REDACTED]

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**From:** Schwei, Daniel S. (CIV) [REDACTED]  
**Sent:** Thursday, February 6, 2025 6:17 AM  
**To:** BeattyWalters Tina [REDACTED]; Sirkovich, Eitan R (CIV) [REDACTED]; Freidah, Andrew F. (CIV) [REDACTED]  
**Cc:** Buehler Dustin [REDACTED]  
**Subject:** RE: Oregon's conferral re TRO in New York v. Trump (DRI: 1:25-cv-00039)

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Tina,

As promised, I wanted to relay one further piece of information I learned. With respect to the final USGS grant G24AP00424 addressed in my e-mail below, my understanding is that this grant is not currently paused in the payment system, and should have funding available for draw by the recipient through 11/28/2025.

Thank you,  
Daniel

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**From:** Schwei, Daniel S. (CIV)  
**Sent:** Wednesday, February 05, 2025 6:10 PM  
**To:** BeattyWalters Tina [REDACTED]; Sirkovich, Eitan R (CIV) [REDACTED]; Freidah, Andrew F. (CIV) [REDACTED]  
**Cc:** Buehler Dustin [REDACTED]  
**Subject:** RE: Oregon's conferral re TRO in New York v. Trump (DRI: 1:25-cv-00039)

Tina,

Regarding your message below, I've been corresponding with the relevant agencies throughout the day, and can report back some preliminary information. I'll also keep looking into this tomorrow and let you know what I find out.

Regarding the Department of Labor grants, here is my current understanding:

- The payment for the requested amount of \$151,829.77 was approved on January 31, 2025, and the transaction was completed earlier today on February 5, 2025.
- The payment for the requested amount of \$2,883,947.59 was also approved on January 31, 2025, and the transaction was completed earlier today on February 5, 2025.
- The payment for the requested amount of \$38,190.09 was approved on January 31, 2025, but the transaction has not been completed yet (as of this afternoon). Department of Labor has requested that the Payment Management System (PMS) prioritize this payment. My understanding is that PMS has experienced some delays due to the volume of payment requests they've received.

For the EPA grants, my understanding is that the agency is working through the process of un-suspending grants, which is taking some time given the nature of the process. I am told that one of your grants – G34233.23, "Cleanup Infrastructure & Invest Jobs Act (IIJA)" – has already been unsuspended. I am not aware of any reason why the suspension would not ultimately be lifted as to the other five grants, but I have asked for confirmation of that. I have also asked EPA if it is possible to prioritize the other five grants, but am not sure yet.

Finally, for the USGS grants, please note that neither USGS nor its parent agency (Department of Interior) is a defendant in the *New York v. Trump* lawsuit. As we stated in our Notice filed with the Court (ECF No. 51), we do not read the Court's Order as imposing compliance obligations on federal agencies that are not defendants in the case. Additionally, my understanding is that three of the grants—G24AC00381, G24AC00418, and G23AC00510—were awarded with funding from the Infrastructure Investment and Jobs Act. Funding for those grants was paused pursuant to OMB Memorandum M-25-11, which is not challenged in *New York v. Trump* and preceded issuance of the challenged OMB Memorandum M-25-13. Therefore, continued implementation of M-25-11 cannot be characterized as "reissuing" or "continued implementation" of OMB Memorandum M-25-13. Thus, we do not believe any pause in those three grants would run afoul of the Court's Order. With respect to G24AP00424, I am still conferring with USGS/Interior about the nature of that grant.

Please feel free to let me know if you have any further questions, and I will keep you apprised if I learn anything further regarding these issues.

Thank you,  
Daniel

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**From:** BeattyWalters Tina <[REDACTED]>  
**Sent:** Wednesday, February 05, 2025 10:34 AM  
**To:** Schwei, Daniel S. (CIV) <[REDACTED]> Sirkovich, Eitan R (CIV) <[REDACTED]> Freidah, Andrew F. (CIV) <[REDACTED]>  
**Cc:** Buehler Dustin <[REDACTED]>  
**Subject:** [EXTERNAL] RE: Oregon's conferral re TRO in New York v. Trump (DRI: 1:25-cv-00039)

Thank you, Daniel.

Regards,  
Tina

**Christina Beatty-Walters** (she, her)

Assistant Attorney in Charge  
Special Litigation Unit  
Oregon Department of Justice  
[REDACTED]

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**From:** Schwei, Daniel S. (CIV) <[REDACTED]>  
**Sent:** Wednesday, February 05, 2025 5:19 AM  
**To:** BeattyWalters Tina <[REDACTED]> Sirkovich, Eitan R (CIV) <[REDACTED]> Freidah, Andrew F. (CIV) <[REDACTED]>  
**Cc:** Buehler Dustin <[REDACTED]>  
**Subject:** RE: Oregon's conferral re TRO in New York v. Trump (DRI: 1:25-cv-00039)

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Hi Christina,

Thanks for reaching out. I was unaware of these issues – we will look into them and get back to you later today with what we learn.

Thanks,  
Daniel

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**From:** BeattyWalters Tina <[REDACTED]>  
**Sent:** Wednesday, February 05, 2025 2:44 AM  
**To:** Schwei, Daniel S. (CIV) <[REDACTED]> Sirkovich, Eitan R (CIV) <[REDACTED]>  
**Cc:** Buehler Dustin <[REDACTED]>  
**Subject:** [EXTERNAL] Oregon's conferral re TRO in New York v. Trump (DRI: 1:25-cv-00039)

Greetings counsel,

I write about the above titled case in which I represent the State of Oregon. I write to confer about lack of compliance with the TRO. Payments under certain awarded grants have not been made available as requested, and other awarded grants have simply been made unavailable for payments for the following Oregon agencies:

**Oregon Higher Education Coordinating Commission** has multiple grants from Department of Labor under which funding was requested last week but never received. The grants and grant amounts are as follows:

Under grant DW000012QL0, a draw was requested on January 29 for \$151,829.77.

Draws were also requested on the same day for the following grants:

Award #	Amount
AA38551OE0	8,087.00
AA38551OC0	21,270.20
AA38551QH0	20,448.99
AA38551QJ0	160,249.97
AY000016IS0	99,355.36
AT000049TJ0	20,000.00
AW000041TL0	140,919.60
AP36519YC1	70,816.52

<b>AY000070WBO</b>	934,062.51
<b>AT000057VXO</b>	92,739.06
<b>AW000092VZO</b>	145,798.00
<b>AT000057400</b>	813,727.37
<b>AW0000924W0</b>	356,473.01
<b>Total</b>	<b>2,883,947.59</b>

Additionally, on January 30, the same agency has requested a grant draw under grant DW000012QL0 for \$38,190.09.

The agency has received none of these payments.

**Oregon Department of Environmental Quality** also has existing EPA grants that it appears EPA has made unavailable for draws. Some of the previously suspended DEQ grants have come back online today, but others remain in a suspended state. The following grants are at issue currently and unable to be drawn upon:

G34233.23	4W02J23401	Cleanup Infrastructure & Invest Jobs Act (IJA)	68,530.94	Suspended
G10050.24	5A02J31101	IRA CAA 103-AQ Equipment and Surveys	5,347.81	Suspended
G10048.24	5D02J38701	Climate Pollution Inflation Reduction Act	9,228.93	Suspended
G10055.25	5E84101101	Climate Pollution Reduction Implementation	37,825.97	Suspended
G10056.25	5Z02J944010	Clean Heavy Duty Vehicle Program	0.00	Suspended
G10054.25	5Q02J70001	IRA Air Monitoring Equipment Upgrades	12,872.92	Suspended

**Oregon Department of Geology and Mineral Industries** has USGS grants that it appears USGS has made unavailable in the ASAP system. They are as follows:

15.073 - Earth Mapping Resources Initiative	G24AC00381
<b>15.073 - Earth Mapping Resources Initiative</b>	G24AC00418
<b>15.073 - Earth Mapping Resources Initiative</b>	G23AC00510

USGS has also suggested that it would suspend the following grant:

<b>15.821 - Landslide Hazard Mapping and Assessment Program</b>	G24AP00424
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If you could contact your client agencies about these grant issues and ask them to fix these problems with haste so that we need not raise them with the court, my clients would appreciate it. Thank you.

Regards,

**Christina Beatty-Walters** (she, her)

Assistant Attorney in Charge

Special Litigation Unit

Oregon Department of Justice

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